## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

		)	
In re:		)	Chapter 11
GRIDDY ENERGY LLC, 1		)	Case No. 21-30923 (MI)
	Debtor.	)	Relates to Docket No. 311
		)	

## NOTICE OF FILING OF PLAN SUPPLEMENT FOR MODIFIED THIRD AMENDED PLAN OF LIQUIDATION FOR GRIDDY ENERGY LLC UNDER CHAPTER 11 OF THE BANKRUPTCY CODE

**PLEASE TAKE NOTICE** that, Griddy Energy LLC, as debtor in possession in the above-captioned chapter 11 case (the "<u>Debtor</u>"), hereby files this plan supplement (the "<u>Plan Supplement</u>") in support of the *Modified Third Amended Plan of Liquidation for Griddy Energy LLC Under Chapter 11 of the Bankruptcy Code* [Docket No. 311] (as may be amended, supplemented, or otherwise modified from time to time, the "<u>Plan</u>"),<sup>2</sup> filed in the above-captioned chapter 11 case (this "<u>Chapter 11 Case</u>") on May 26, 2021.

PLEASE TAKE FURTHER NOTICE that, on May 26, 2021, the United States Bankruptcy Court for the Southern District of Texas (the "Bankruptcy Court") entered an order [Docket No. 308] (the "Conditional Disclosure Statement Order"): (a) conditionally approving the adequacy of the Disclosure Statement for Modified Third Amended Plan of Liquidation for Griddy Energy LLC Under Chapter 11 of the Bankruptcy Code [Docket No. 312] (the "Disclosure Statement") for solicitation of votes on the Plan; (b) approving the notice of the combined hearing to consider approval of the Disclosure Statement on a final basis and confirmation of the Plan; (c) approving the solicitation and notice procedures with respect to confirmation of the Plan; (d) approving the form of ballots and notices in connection therewith; and (e) approving the scheduling of certain dates with respect to solicitation and confirmation of the Plan.

**PLEASE TAKE FURTHER NOTICE** that, as contemplated by the Plan and the Conditional Disclosure Statement Order, the Plan Supplement includes certain draft documents to be executed, delivered and/or performed in connection with the consummation of the Plan on the Effective Date, in each case as may be modified, amended or supplemented from time to time:

- Exhibit A Plan Administrator Agreement
- Exhibit B Second Amended and Restated Limited Liability Company Agreement of Griddy Energy LLC

<sup>&</sup>lt;sup>1</sup> The last four digits of its federal tax identification number of the Debtor are 1396. The mailing address for the Debtor is PO Box 1288, Greens Farms, CT 06838.

<sup>&</sup>lt;sup>2</sup> Capitalized terms not otherwise defined herein have the meanings given to them in the Plan.

- Exhibit C Amended and Restated Intellectual Property License Agreement
- Exhibit D Consulting Agreement
- Exhibit E Schedule of Retained Causes of Action
- Exhibit F Customer Opt-Out Form
- Exhibit G Members of Oversight Committee

**PLEASE TAKE FURTHER NOTICE** that the documents attached as Exhibits A through  $\underline{G}$  hereto are current drafts and remain subject to continuing negotiations in accordance with the terms of the Plan and the final versions may contain material differences from the versions filed herewith.

**PLEASE TAKE FURTHER NOTICE** that the Debtor reserves the right, subject to the terms and conditions set forth in the Plan, to add additional documents to the Plan Supplement or to alter, amend, modify or supplement any document in the Plan Supplement on or before the Effective Date of the Plan, or any such other date as may be permitted by order of the Bankruptcy Court; <u>provided</u> that if any document in the Plan Supplement is altered, amended, modified or supplemented in any material respect prior to the hearing to consider confirmation of the Plan, the Debtor will file a blackline of such document with the Bankruptcy Court.

PLEASE TAKE FURTHER NOTICE that copies of the Plan Supplement can be obtained (a) for a fee through the Bankruptcy Court's electronic case filing system at <a href="https://ecf.txsb.uscourts.gov">https://ecf.txsb.uscourts.gov</a> or (b) free of charge on the website maintained by the Debtor's noticing and claims agent at <a href="http://cases.stretto.com/Griddy">http://cases.stretto.com/Griddy</a>.

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Dated: June 18, 2021

Respectfully submitted,

## **BAKER BOTTS L.L.P.**

By: /s/ Chris Newcomb

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Counsel to the Debtor and Debtor in Possession

## **CERTIFICATE OF SERVICE**

I certify that on June 18, 2021, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Chris Newcomb